

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In the Bankruptcy Matter of:

Gregory Tarrent Edwards

Debtor

Bankruptcy No. 17-21171
Judge Timothy A. Barnes
Chapter: 13

NOTICE OF MOTION

TO: Gregory Tarrent Edwards, 14609 Union Ave, Harvey, IL 60426
Marilyn O. Marshall, 224 South Michigan Ste 800, Chicago, IL 60604
David M. Lulkin, Geraci Law L.L.C., 55 E. Monroe St. #3400, Chicago, IL 60603
Patrick S Layng, Office of the U.S. Trustee, Region 11, 219 S Dearborn St, Room 873,
Chicago, IL 60604

Please take notice on June 14, 2018 at 9:30 a.m., I shall appear before the Honorable Timothy A. Barnes, in Courtroom 744, Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, IL 60604, and present the attached motion at which time you may appear if you wish.

/s/ Kenneth W. Bach

Kenneth W. Bach, IL ARDC #6295816

CERTIFICATE OF SERVICE

I, Kenneth W. Bach, an attorney certify that I served the attached motion by mailing a copy to the Debtor at the address listed above by depositing the same in the U.S. mail, first class, postage prepaid at 230 W. Monroe, Chicago, IL 60606 on or before 5:00 p.m. on June 1, 2018. The remaining parties were served by the CM/ECF electronic noticing system.

/s/ Kenneth W. Bach

Kenneth W. Bach, IL ARDC #6295816

Kenneth W. Bach
Johnson, Blumberg, & Associates, LLC
230 W. Monroe Street, Suite 1125
Chicago, Illinois 60606
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NOTICE:

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

NOW COMES Federal National Mortgage Association (“Fannie Mae”), a corporation organized and existing under the laws of the United States of America (hereinafter “Movant”), through its attorney, Kenneth W. Bach of Johnson, Blumberg & Associates, LLC, and states as follows:

1. The Movant, a party in interest, holds a Mortgage dated September 10, 2010 on the property located at 14609 Union Ave, Harvey, Illinois 60426, in the original amount of \$87,500.00. (A copy of the Note, Mortgage, Assignment of Mortgage, and Loan Modification are attached as Exhibit A, B, C, and D respectively and incorporated herein by reference).
2. The above-captioned Chapter 13 case was filed on July 17, 2017 and the Debtor's Plan was confirmed on November 16, 2017.
3. The confirmed plan provides for the Debtor to be the disbursing agent for the post petition mortgage payments and the Chapter 13 Trustee to be disbursing agent for the pre-petition arrearage.
4. As of December 13, 2017, the Debtor has failed to maintain post-petition payments thereby accruing a default of 3 payments from March 1, 2018 through May 1, 2018 for a post-petition arrearage total of \$1,784.10. A summary of the post-petition arrearage is as follows:

March 1, 2018 to May 1, 2018, 3 payments at \$594.70 each

5. As of the date of confirmation, the account was past due by two months post-petition.
As such, the post-confirmation, post-petition default is one month.
6. The post-confirmation, post-petition default constitutes cause for relief pursuant to 11 U.S.C. § 362(d). The Debtor's failure to cure the pre-confirmation, post-petition default more than six months after confirmation constitutes additional cause for relief from the automatic stay.
7. The Movant adopts the facts set forth in the Statement of Default as additional allegations in support of this motion.
8. That should the Debtor wish to reinstate while under the jurisdiction of this Court, Movant requests to be reimbursed for the costs and attorney fees of filing this motion.
9. The Movant requests waiver of 14 day stay provision of Bankruptcy Rule of Procedure 4001(a)(3).

WHEREFORE, Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America prays for the entry of an order modifying, annulling or terminating the Automatic Stay instanter to allow foreclosure, eviction, or any other action with respect to the Movant protecting its rights in the subject property as the Court deems appropriate and for such other relief as the Court deems just.

/s/ Kenneth W. Bach

Kenneth W. Bach, ARDC #6295816
Attorney for Federal National Mortgage Association
("Fannie Mae"), a corporation organized and
existing under the laws of the United States of
America

Kenneth W. Bach

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